



10-31-06

JFR

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97 (c))					Docket No. 470/04441	
In Re Application of: Tami HAREL et al.						
Application No.	Filing Date	Examiner	Customer No.	Art Unit	Confirmation No.	
10/526,708	September 20, 2005	FLORY, C.A.	44909	3762	7428	
Title: BLOOD GLUCOSE LEVEL CONTROL						
<p>Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p>OR</p> <p><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>						



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Tami HAREL et al.

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10/526,708	September 20, 2005	FLORY, C.A.	44909	3762	7428

Title:

BLOOD GLUCOSE LEVEL CONTROL

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below.
- ☐ Charge the amount of \$00.00
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William H. Dippert, Esq.
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Tel: (212) 986 1116

Date: October 24, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In regard to the application of: Tami HAREL et al.

Serial No : 10/526,708

Group Art Unit: 3762

Filed : September 20, 2005

Examiner: FLORY, C.A.

For : BLOOD GLUCOSE LEVEL CONTROL

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully direct the attention of the Examiner to art cited with respect to U.S. Application No. 10/526,708, which is a U.S. National Phase of PCT Application No. PCT/IL2003/000736, which is a CIP of USSN 10/237,263, which is a CIP of PCT application PCT/IL00/00566, and is a CIP of PCT application PCT/IL00/00132, now US application 09/914,889.

The Examiner is respectfully requested to review and consider this art, in accordance with MPEP §2001.06 and to indicate in the first office action that he has considered this art. Additionally, the Examiner is respectfully requested to cite those prior art publications mentioned in this application which the Examiner considers to be material or relevant to the present claims.

Further, in order to comply with discretionary regulations 37 CFR 1.97 and 1.98,

attached hereto is an Equivalent to Form PTO-1449 and copies¹ of the documents listed hereon. These documents contain information which the examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

Copies of items 1 – 11, 19-28, 35-43, 51-60, 68-77, 85-93, 101-110 and 117 are not attached, as the USPTO waived the requirement under 37 CFR 1.98(a)(2)(i) for submitting copies of US patents and US patent application publications in all U.S. applications filed after June 30, 2003. See MPEP 609 III A(2).

Copies of items 12-15, 17-18, 29-31, 33-34, 44-46, 50, 79-84, 94, 96-97, 111-113, 122, 125, 129, 132-134, 136-137, 139-141 and 144 are not attached as they are available in parent file U.S. Application No.09/914,889.

Copies of the 16, 32, 48-49, 65-67, 78, 95, 98-100, 114-115, 118-121, 123-124, 126-128, 131, 135, 138 and 142-143 are not attached as they are available in parent file U.S. Application No.10/237,263.

In accordance with MPEP §609 it is requested that each document cited (including any mentioned in Applicants' specification which is not repeated on the attached PTO-1449 form(s) or equivalents thereof) be given thorough consideration and be cited of record in the prosecution history of the present application by initialing on the PTO-1449 form or its equivalent, so that it will appear on the face of the patent issuing on the present application, even if the Examiner does not consider it sufficiently pertinent to use in a rejection, or otherwise does not believe that the guidelines for citation have been fully complied with.

The present Information Disclosure Statement is being submitted in compliance with 37 C.F.R. §1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 C.F.R. §1.104(a),

¹ To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the national stage file or in a parent file. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such an equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited then none is known to the undersigned.

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and in the course of such search will review for relevance every document cited on the attached form.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,
Tami HAREL et al.

A handwritten signature in black ink, appearing to be 'Tami Harel', is written above a horizontal line.

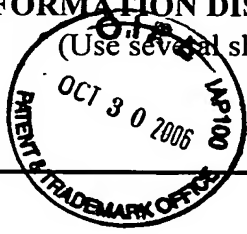
Maier FENSTER
Registration No. 41,016

October 24, 2006

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New York, NY 10177

Tel: 212-986-1116

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 470/04441	SERIAL NO. 10/526,708
	APPLICANT(S) Tami HAREL et al.	
	FILING September 20, 2005	GROUP 3762



U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	Filing date if appropriate
	1.	1,918,386	18 Jul '33	ESAU			
	2.	3,541,390	17 Nov '70	JAHNKE			
	3.	3,796,221	12 Mar '74	HAGFORS			
	4.	3,911,930	14 Oct '75	HAGFORS et al.			
	5.	3,933,147	20 Jan '76	DU VALL et al.			
	6.	4,337,776	06 Jul '82	DALY et al.			
	7.	4,406,288	27 Sep '83	HORWINSKI et al.			
	8.	4,411,268	25 Oct '83	COX			
	9.	4,428,366	31 Jan '84	FINDL et al.			
	10.	4,537,195	27 Aug '85	MCDONNELL			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	Filing date if appropriate
	11.	2002/0026141	28 Feb '02	HOUBEN et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	12.	GB 1 394 171	14 May '75	UNITED KINGDOM				
	13.	SU 1827793	10 May '95	RUSSIA			√	
	14.	RU 2014844	30 Jun '94	RUSSIA			√	
	15.	RU 2055606	10 Mar '96	RUSSIA			√	

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	16.	ADHEGATE, E. et al.; "Effect of Electrical Field Stimulation on Insulin and Glucagon Secretion from the Pancreas of Normal and Diabetic Rats;" Horm Metab Res 2001; Vol. 33; Pages 281-289
	17.	ANTONI, H. et al., "Polarization Effects of Sinusoidal 50-Cycle Alternating Current on Membrane Potential of Mammalian Cardiac Fibres"; Pflugers Arch.; 1970; 314; pp. 274-291
	18.	BABSKY YE. B. et al., "Physiology of Man"; M. Medicine; 1972; pp. 350-385
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

Form PTO-A820

(also form PTO-1449)

Patent and Trademark Office*U.S. DEPARTMENT OF COMMERCE

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	19.	4,537,203	27 Aug '85	MACHIDA			
	20.	4,554,922	26 Nov '85	PRYSTOWSKY et al.			
	21.	4,850,959	25 Jul '89	FINDL			
	22.	5,031,617	16 Jul '91	KLETTNER			
	23.	5,083,564	28 Jan '92	SCHERLAG			
	24.	5,097,833	24 Mar '92	CAMPOS			
	25.	5,101,814	07 Apr '92	PALTI			
	26.	5,144,554	01 Sep '92	ZHANG et al.			
	27.	5,188,104	23 Feb '93	WERNICKE et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	28.	2002/0081732	27 Jun '02	BOWLIN et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	29.	RU 2075980	27 Mar '97	RUSSIA			√	
	30.	RU 2077273	20 Apr '97	RUSSIA			√	
	31.	RU 2078547	10 May '97	RUSSIA			√	

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	32.	BERGSTEN, P. et al.; "Synchronous Oscillations of Cytoplasmic Ca ²⁺ and Insulin Release in Glucose-Stimulated Pancreatic Islets;" March 1994; The Journal of Biological Chemistry; Vol. 269; No. 12; Pages 8749-8753
	33.	Best and Taylor's Physiological Basis of Medical Practice; edited by WEST, J. B.; 12th Edition; Chapter 50; "The Endocrine Pancreas;" Pages 754-769; Williams & Wilkins
	34.	BOGOLYUBOV, V.M. et al; "Balneology and Physiotherapy"; M. Medicine; 1985; v. 2; pp. 420
EXAMINER		DATE CONSIDERED
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	Filing date if appropriate
	35.	5,205,284	27 Apr '93	FREEMAN			
	36.	5,231,988	03 Aug '93	WERNICKE et al.			
	37.	5,292,344	08 Mar '94	DOUGLAS			
	38.	5,320,642	14 Jun '94	SCHERLAG			
	39.	5,397,344	14 Mar '95	GARFIELD et al.			
	40.	5,423,872	13 Jun '95	CIGAINA			
	41.	5,447,526	05 Sep '95	KARSDON			
	42.	5,540,730	30 Jul '96	TERRY et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	Filing date if appropriate
	43.	2003/0055464	20 Mar '03	DARVISH et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	44.	SU 386634	21 Apr '73	RUSSIA			√	
	45.	SU 553977	15 Apr '77	RUSSIA			√	
	46.	SU 831131	23 May '81	RUSSIA			√	
	47.	WO 00/53257	14 Sep '00	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	48.	BOUAZIZ, A. et al.; "Direct Electrical Stimulation of Insulin Secretion by Intact Murine Islets of Langerhans Through the Culture Support;" 1998; Electro- and Magnetobiology; Vol. 17; No. 2; Pages 171-184
	49.	DAVIS, S. N. et al.; "Insulin, Oral Hypoglycemic Agents, and the Pharmacology of the Endocrine Pancreas;" The Pharmacological Basis of Therapeutics; Chapter 60; pages 1487-1499; Pages 1507-1510
	50.	DEVEDEUX, D. et al, "Uterine electromyography: a critical review"; Am. J. Obstet. Gynecol.; 1993; vol. 169(6); pp. 1636-53; abstract of article
EXAMINER		DATE CONSIDERED
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	51.	5,540,734	30 Jul '96	ZABARA			
	52.	5,556,760	17 Sep '96	NAKAMURA et al.			
	53.	5,561,165	01 Oct '96	LAUTT et al.			
	54.	5,690,691	25 Nov '97	CHEN et al.			
	55.	5,741,791	21 Apr '98	OLSEN			
	56.	5,800,464	01 Sep '98	KIEVAL			
	57.	5,814,079	29 Sep '98	KIEVAL			
	58.	5,861,014	19 Jan '99	FAMILONI			
	59.	5,871,506	16 Feb '99	MOWER			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	60.	2003/0181958	25 Sep '03	DOBAK			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	61.	WO 01/91854	06 Dec '01	PCT				
	62.	WO 02/053093	11 Jul '02	PCT				
	63.	WO 02/082968	24 Oct '02	PCT				
	64.	WO 03/045493	05 Jun '03	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	65.	GOLD, G. et al.; "Evidence that Glucose "Marks" b Cells Resulting in Preferential Release of Newly Synthesized Insulin; October 1, 1982; Science; Vol. 218; Pages 56-58
	66.	GOMIS, A. et al.; "Oscillatory Patterns of Electrical Activity in Mouse Pancreatic Islets of Langerhans Recorded in Vivo;" July 1996; Pflügers Arch. – Eur. J. Physiol.; Vol. 432, No. 3; Pages 510-515
	67.	HINKE, S. A. et al.; "Dipeptidyl Peptidase IV (DPIV/CD26) Degradation of Glucagon, Characterization of Glucagon Degradation Products and DPIV-Resistant Analogs;" February 11, 2000; The Journal of Biological Chemistry 2000; Vol. 275; No. 6; Pages 3827-3834
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	68.	5,919,216	06 Jul '99	HOUBEN et al.			
	69.	5,991,649	23 Nov '99	GARFIELD et al.			
	70.	5,995,872	30 Nov '99	BOURGEOIS			
	71.	6,026,326	15 Feb '00	BARDY			
	72.	6,066,163	23 May '00	JOHN			
	73.	6,083,249	04 Jul '00	FAMILONI			
	74.	6,093,167	25 Jul '00	HOUBEN et al.			
	75.	6,135,978	24 Oct '00	HOUBEN et al.			
	76.	6,243,607	05 Jun '01	MINTCHEV et al.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	77.	2003/0208242	06 Nov '03	HAREL et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	78.	WO 93/02743	18 Feb '93	PCT				
	79.	WO 93/18820	30 Sep '93	PCT				
	80.	WO 94/17855	18 Aug '94	PCT				
	81.	WO 96/10358	11 Apr '96	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	82.	HOLST, J. J. et al.; "Nervous Control of Pancreatic Endocrine Secretion in Pigs;" January 1981; Acta Physiologica Scandinavica; Vol. 111; Pages 1-7; XP000980527
	83.	HOLST, J. J. et al.; "Nervous Control of Pancreatic Endocrine Secretion in Pigs;" January 1981; Acta Physiologica Scandinavica; Vol. 111; Pages 9-14; XP000980528
	84.	JAREMKO, J. et al.; "Advances Toward the Implantable Artificial Pancreas for Treatment of Diabetes;" March 1998; Diabetes Care; Vol. 21, No. 3; Pages 444-450
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	85.	6,261,280	17 Jul '01	HOUBEN et al.			
	86.	6,292,693	18 Sep '01	DARVISH et al.			
	87.	6,296,693	02 Oct '01	MCCARTHY			
	88.	6,298,254	02 Oct '01	TAMADA			
	89.	6,298,268	02 Oct '01	BEN-HAIM et al.			
	90.	6,363,279	26 Mar '02	BEN-HAIM et al.			
	91.	6,381,495	30 Apr '02	JENKIS			
	92.	6,424,864	23 Jul '02	MATSUURA			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	93.	2004/0059393	25 Mar '04	POLICKER et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	94.	WO 97/15227	01 May '97	PCT				
	95.	WO 97/25098	17 Jul '97	PCT				
	96.	WO 97/26042	24 Jul '97	PCT				
	97.	WO 97/27900	07 Aug '97	PCT			√	

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	98.	ZHOU, X. et al, "Prevention of Action Potentials During Extracellular Electrical Stimulation of Long Duration"; J.Cardiovasc. Electrophysiol.; 1997; Vol. 8; pp. 779-789
	99.	KUFFLER, S. W. et al.; "Release of Chemical Transmitters;" Chapter 10; Pages 241-261; From Neuron to Brain, a Cellular Approach to the Function of the Nervous System; Second Edition; Sinauer Associates Inc. Publishers; Sunderland, Massachusetts
	100.	KUROSE, T. et al.; "Glucagon, Insulin and Somatostatin Secretion in Response to Sympathetic Neural Activation in Streptozotocin-Induced Diabetic Rats. A Study with the Isolated Perfused Rat Pancreas In Vitro;" 1992; Diabetologia; Vol. 35; Pages 1035-1041

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	101.	6,449,511	10 Sep '02	MINTCHEV et al.			
	102.	6,558,345	06 May '03	HOUBEN et al.			
	103.	6,571,127	27 May '03	BEN-HAIM et al.			
	104.	6,572,542	3 Jun '03	HOUBEN et al.			
	105.	6,600,953	29 Jul '03	FLESLER et al.			
	106.	6,612,983	02 Sep '03	MARCHAL			
	107.	6,630,123	07 Oct '03	WOLTERING et al.			
	108.	6,652,444	25 Nov '03	ROSS			
	109.	6,658,297	02 Dec '03	LOEB			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLA SS	SUB- CLASS	Filing date if appropriate
	110.	2004/0249421	09 Dec '04	HAREL et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	111.	WO 98/10828	19 Mar '98	PCT				
	112.	WO 98/10829	19 Mar '98	PCT				
	113.	WO 98/10830	19 Mar '98	PCT				
	114.	WO 98/10831	19 Mar '98	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	115.	LIU, S. et al.; "2-Pyridylthioureas: Novel Nonpeptide Somatostatin Agonists with SST ₄ Selectivity;" April 1999; Current Pharmaceutical Design; Vol. 5; No. 4; Pages 255-263
	116.	LUIKEN, J. J. et al.; "Contraction-Induced Fatty Acid Translocase/CD36 Translocation in Rat Cardiac Myocytes Is Mediated Through AMP-Activated Protein Kinase Signaling;" July 2003; Diabetes; Vol. 52, No. 7; Pages 1627-1634; Department of Physiology, Cardiovascular Research Institute Maastricht; Maastricht University; the Netherlands and Department of Kinesiology; University of Waterloo; Waterloo; Canada
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
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	APPLICANT(S) Tami HAREL et al.	
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Serial No: 10/526,708

Filing Date: September 20, 2005

For: Blood Glucose Level Control

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